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7 Attorneys for *Defendants* **MOISHE GUBIN and OPTIMUMBANK**

9 **UNITED STATES BANKRUPTCY COURT**

10 **CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION**

11 In re: Case No.: 8:23-bk-10571-SC
12 THE LITIGATION PRACTICE GROUP, P.C., Chapter 11
13 Debtor. Adv. Case No.: 8:25-ap-01105-SC

14 RICHARD A. MARSHACK, Trustee of the LPG
15 Liquidation Trust,

16 Plaintiff,

17 v.

18 WORLD GLOBAL FUND, LLC, *et al.*,
19 Defendants.

20 **JOINT STATUS REPORT – ADDITIONAL
PARTY ATTACHMENT**

JOINT STATUS REPORT – ADDITIONAL PARTY ATTACHMENT

Additional party name: OptimumBank; Moishe Gubin; OptimumBank.com; Optimum Holdings, Inc. ("Optimum")

Plaintiff Defendant Other (specify): _____

B. READINESS FOR TRIAL:

1. When will you be ready for trial in this case?

October, 2026

2. If your answer to the above is more than 4 months after the summons issued in this case, give reasons for further delay.

This adversary proceeding is one of >200 and the main bankruptcy action, originally filed on March 20, 2023. Optimum is informed substantial discovery, including myriad relevant documents produced, depositions, and consent judgments have been entered. To date, the Trustee has refused to enter a reasonable Protective Order regarding use of confidential information consistent with FRCP 26(b)(1). 7-9 months will be needed to review relevant documents, testimony, etc. before witnesses for deposition can be identified and experts retained.

3. When do you expect to complete your discovery efforts?

Discovery efforts should, barring unanticipated discovery disputes, be completed by February 28, 2026. Expert discovery would be completed by May 1, 2026

4. What additional discovery do you require to prepare for trial?

Review multiple thousands of documents (party/non-party, main bankruptcy and 200+ adversary actions); review of myriad depositions; written discovery; take >10 depositions (party/non-party); experts development.

C. TRIAL TIME:

1. What is your estimate of the time required to present your side of the case at trial (*including rebuttal stage if applicable*)?

Premature - estimating 3 - 5 weeks.

2. How many witnesses do you intend to call at trial (*including opposing parties*)?

Premature - estimating 15 - 30 witnesses.

3. How many exhibits do you anticipate using at trial?

Premature - estimating 1,200 - 15,000

D. PRETRIAL CONFERENCE:

A pretrial conference is usually conducted between a week to a month before trial, at which time a pretrial order will be signed by the court. [See LBR 7016-1.] If you believe that a pretrial conference is not necessary or appropriate in this case, please so note below, stating your reasons:

Pretrial conference is is not requested.

Reasons: In addition, Optimum has demanded trial by jury for all non-core issues. Any pretrial conference as to that trial should proceed in the District Court in which trial of those issues will occur.

Pretrial conference should be set after (date): 08/19/2026

E. SETTLEMENT:

1. What is the status of settlement efforts?

Early discussions have taken place, resulting in the dismissal of two affiliated defendants in this adversary action (OptimumBank.com and Optimum Holdings, Inc.). Though the Trustee has agreed that dismissal of OptimumBank.com, it has failed to file a request for that dismissal and has not explained why a holding company, which has no employees and conducts no business, should not also be dismissed.

2. Has this dispute been formally mediated?
If so, when?

Yes No

3. Do you want this matter sent to mediation at this time? Yes No

F. FINAL JUDGMENT/ORDER:

Any party who contests the bankruptcy court's authority to enter a final judgment and/or order in this adversary proceeding must raise its objection below. Failure to select either box below may be deemed consent.

I do do not consent to the bankruptcy court's entry of a final judgment and/or order in this adversary proceeding.

G. ADDITIONAL COMMENTS/RECOMMENDATIONS RE TRIAL: (Use additional page if necessary)

Optimum is entitled to trial by jury on all non-core issues. The bankruptcy court is ill-suited to afford Optimum's rights protected under the U. S. and California constitutions, including, but not limited to, due process under Amendment XIV of the U. S. Constitution and trial by jury under Amendment VII of the U. S. Constitution.

HINSHAW & CULBERTSON LLP

Printed name of law firm

/s/ David T. Hayek

Signature

David T. Hayek (CA SBN 144116)

Printed name

Attorney for: OptimumBank and Moishe Gubin

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

HINSHAW & CULBERTSON, LLP 350 S.Grand Avenue, Suite 3600, Los Angeles, CA 90071-3476

A true and correct copy of the foregoing document entitled (*specify*): _____

JOINT STATUS REPORT – ADDITIONAL PARTY ATTACHMENT

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 07/24/2025, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Joseph Boufadel** jboufadel@salvatoboufadel.com; Gsalvato@salvatoboufadel.com; gsalvato@ecf.inforuptcy.com
- **Christopher Ghio** Christopher.Ghio@dinsmore.com; angelica.urena@dinsmore.com
- **Karen Hockstad** karen.hockstad@dinsmore.com; kim.beavin@dinsmore.com
- **Ira David Kharasch** ikharasch@pszjlaw.com
- **Yosina M Lissebeck** Yosina.Lissebeck@Dinsmore.com; caron.burke@dinsmore.com; ayton.celentino@dinsmore.com
- **Richard A Marshack (TR)** pkraus@marshackhays.com; ecf.alert+Marshack@titlexi.com
- **Victoria Newmark** vnewmark@pszjlaw.com; hdaniels@pszjlaw.com; bdassa@pszjlaw.com; hwinograd@pszjlaw.com
- **Brian A Paino** bpaino@hinshawlaw.com; hmosothoane@hinshawlaw.com; crico@hinshawlaw.com
- **Matthew Sommer** matthew.sommer@dinsmore.com; carrie.davis@dinsmore.com
- **United States Trustee (SA)** ustpregion16.sa.ecf@usdoj.gov

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 07/24/2025, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Hon. Scott C. Clarkson
U.S. Bankruptcy Court, Ronald Reagan Federal Building
411 W. Fourth St., Ste. 5130
Santa Ana, CA 92704

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

| | | |
|----------------------------------|---|--|
| <u>07/24/2025</u> <i>Date</i> | <u>Carolina Rico</u> <i>Printed Name</i> | <u>/s/ Carolina Rico</u> <i>Signature</i> |
|----------------------------------|---|--|

Funding Gateway, Inc.
Mark Fuchs c/o The Corporation
5314 16th Avenue, Suite 139
Brooklyn, NY 11204

MNS Funding, LLC
and each of its assumed names
Mark Fuchs c/o File Right LLC
5314 16th Avenue, Suite 139
Brooklyn, NY 11204

SSD Investment Group, LLC
14400 Bear Valley Rd., Space 527
Victorville, CA 92394

World Global Fund, LLC
and each of its assumed names
c/o File Right LLC
5314 16th Avenue, Suite 139
Brooklyn, NY 11204

WORLD GLOBAL FUND, LLC
n/k/a Glass Media, LLC
Andrew Pierce
c/o Cloud Peak Law
1095 Sugar View Drive, Suite 500
Sheridan, WY 82801

Funding Gateway, Inc.
Mark Fuchs c/o File Right RA Services, LLC
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Pine Brook, NJ 07058

Shia Dembitzer
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Brooklyn, NY 11230

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